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Santa Maria-Bonita
School District

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Gail M. Tissier, Ed.D.
Superintendent

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February 11, 1998

Ms. Magalie R. Salas, Secretary
Office of the Secretary
Federal Communications Commission
1900 M Street N. W.
Washington DC 20554

Subject: **Request for waiver of FCC rules governing the expenditure of funds from the School and Libraries Discount Program established by the Order of the Federal Communications Commission May 8, 1997, implementing Universal Services sections of the Federal Telecommunications Act of 1996.**

Dear Ms. Salas:

The Federal Communication Commission Order of May 8, 1997, (CC Docket No. 96-45) established guidelines for implementing the sections of the Federal Telecommunications Act of 1996 that provided for a "...specific, predictable and sufficient..." mechanism to help school districts fund the installation and use of connections to advanced telecommunications technologies. Those guidelines set up a calendar year funding process running from January 1 each year through December 31 of the same year. The guidelines also established a date of the applications being available as July 1 of the year preceding funding. Funding was to be awarded on a first-come first-served basis.

However, due to the complexity of designing the application forms and setting up the mechanism to process the applications, it has not been possible for schools and libraries to submit applications for calendar year 1998 funding until the end of January, 1998. The funding process has been further delayed as the School and Libraries Corporation has established a 75-day window in which all applications would be treated as being first. This window of time will delay actual verification of funding until the middle or end of April. This means that those schools and libraries that do not have pre-existing contracts will not be able to begin their projects or services until May of 1998.

This delay in verification of funding will cause Santa Maria -Bonita School District to have four fewer months in 1998 to complete its proposed project. The project involves the installation of the internal connections required to connect 400 district classrooms to advanced telecommunications technologies, including the Information Super Highway. The project was developed in good faith that the district would have a full twelve months to complete the project. It now appears that the district will have only eight months to complete the project. While the district will make every effort to complete the project by December 31, 1998, there is a possibility, due to the four-month delay in starting the project, that the entire project will not be completed by December 31.

It will be a difficult task to determine how much of the project can be completed, if not all is completed. To change the scope of the project at this time will place an undue financial burden on the district, as the plans and specifications will have to be redrawn and rewritten. The district would

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Ms. Magalie R. Salas
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RE: Santa Maria-Bonita School District Request for Waiver

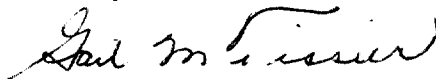
also need to cancel the current bid process and reissue bid documents starting a new bid cycle. This would cost the district additional consultant fees and would mean that the district could not complete the application procedure during the initial 75-day window to be considered as first come first served.

In consideration of the above, the Santa Maria-Bonita School District is requesting a waiver of the limitation that all funds approved for the project in 1998 be spent by December 31, 1998. The district requests that they be able to carry approved 1998 funds into the 1999 calendar year if the project is not completed by the December 31, 1998, date. The period of time that this waiver would be operational would be until the project is completed or April 15, 1999, which ever is earlier. This time period would assure the district that it has the full twelve months to complete the project that it would have had, had the district been able to follow the original time line presented in the FCC Order for 1998 calendar year funding. The district would not submit any additional 470 and/or 471 forms for the same project during the period of the waiver and the intention is that the district have a guarantee that the funding approved will be available for contracted services over a twelve-month period or until the installation of the infrastructure is completed, which ever occurs first.

Without the waiver it will not be possible for the district to sign a contract for the entire project and will delay the district's application for 1998 funding and will delay the benefit that the students and community will see from the completion of the project. Santa Maria-Bonita School District is in the highest funding priority, qualifying for 90% discounts under the program. The students of the district will not be able to enjoy the benefits of advanced telecommunications technologies without the School and Libraries Discount Program. The Federal Communications Commission's granting of the waiver will assure that a 1998 funded project will be able to be completed in a twelve-month period that the FCC order envisioned when it set up the calendar year funding plan and set up the time line for applications and funding approval.

The Santa Maria-Bonita School District requests that the FCC consider this Request for Waiver as soon as possible.

Sincerely,



GAIL M. TISSIER, Ed.D.
SUPERINTENDENT

c Ms. Irene Flannery